THE DUST

## Bneinces Notices

WHO MAKES THE BEST SAFES?

LILLIE'S RESLY TO HERRING.

S. C. Herring, e.g.

Siz: Your reply to the important question while on a bounces for the All any Fayress, met my attention while on a bounces town at the West. In that reply I understand you to almit that aixteen of your alloyed Fire-Proof Safes did burn up in a single fire in your city, a so, a number at Waterfown, ditto at Troy citto at St. Lon a; ditto at Green Bay. You thou start of with the aston in a section that the safes burnt were not your present make of safes, and attempt to prove that your present and a sanda fire, and ty certificates to show that more does not. Now, Sir, is the proofs your after in relation to your safe are as distant from the acts at the certificates bearing on mina, in distant from the acts as the certificates bearing on mine, is neither case is the vidence of value. The Paisaville certificate of Mather, and the posteript by Batlett, I know to be unifus. And I will pay \$1000 of they all att a to them, under oath, in my

The Frank Foster certificate app les to a safe not made or sold as fire proof, as you must know, and the mention of it is unjust in regard to the Denseille Safra, I have received the following

. The Fate in question (Lillie's Inpenetrable) was over drug stare, and fell about twenty feet into a mass of combusti-ble materia, where it remained four or fee days, as it was not convenient to at end soover to taking it out, and I had removed the luiding. When dug out and opened, the woodwork and pa-pers were feuted to be parially destroyed, and twenty or thirty dellars in gold and after coin were discolored. In taste, yours, &c.,

The undersimed cost y that they had one of Lillie's No. 5 For The uncersi, ned cert year they rate one of himse Add Scient and Burlar Proc f Safes in their store in "Shepard's Block," Danaville, when safe store was destroyed by fire on the 3 st of March, 1861; said safe was taken from the ruins after twenty-four Acurs exposure, and when opened the contents were found in good order. The Safe was but little injured and is now in use.

Dansville, N. Y., May 24, 1858, Another of my fafes which you have announced as "destroyed" is on exhibition at my agency, No. 189 Broadway, New York.
Yourself and the public are respectfully invited to call and exam-

I shall take occasion hereaf or to give to the public some mor of the numerous certificates which I have received from all parts of the country, attesting to the superior fire proof qualities of my

I challenged you, with all other safe-makers, to test safes with me by fire at Philadelphia and New-York in 1851; at Detroit and Chi. sgo in '55, and at Troy in '67. You have avoided the test at these several places, and the challenge is still open for your ac prence, and has been continually from that time to this, as you tiess, well understand. It is therefore evident that you confidence in my safe is not impaired by certificates originating with she tirm safe scents, for y u are to familiar with facts to the contrary. Your Mr. Parrell of Philadelphia witnessed the ten-hour test o' my Sa'es at the State fair in that city Your Mr. Harmon of Chicago, the burning of another at the IIII.

pois State fair, eleven hours. Also, of the Safe burned at Gairo,
in the railroad depot, where two or three steet-from safes were burned up, and another in the City of Chicago. Also, your agents at Detroit and syracuse, where my Safes went through extensive ires, and came out with contents perfect.

I have evidence to show that five of the Safes enumerated in

your catalogus of triumphs were so baily burned that only two
were allowed to be opened publish.

I would ask why did y u gives new safe to the Messrs. Keller
of Easton, Pa. (another of your triumphs) it the Safe burned stood

The Hecker & Bro. Safe has been , roved, heretofore, to the sat isfaction of the public to have been made by you under the Wil-der patent; another trium; h of your "Champion." The balance of your catalogue would doubt as prove equally britliant upon

You offer me money to prove [to w] om ? | that your "Champion Safe" has ever been destroyed by fir. If you will designate the kind of proof required, and deposit the muney in trust for some charitable society in case the proof is furnished. I will undertake to accommodate y.u. Or, if y u will burn publicly one of your "Champion" Safes of the ordinary construction in a common wood fire for the space of two hours, I will forfeit #1,000 if its

contents come out unharmed.

You publish the robbery at Hueson, Wis. This, the only is. stance when a Safe of my make was ever robbed, has been tailed by you, in common with all sheet from eafe makers and bank-lock renders, as a great triumph. I, too, end the public, will had it as a triumph, since it has celled attention to the significant fact that my weakest Safes, made five years ago—since which time I have made great improvements—cannot be opened by a single might's labor, but require two nights of noisy work, with sled,e-haumer, purch and powder. It is sufficient to say that, despite the endeavors of other safe makers to supplient me, one of my latest and best Fire and Burglar-Proof Safes has been ordered to take its place, without any solicitation on the part of myself or my

Now. Mr. Herrive, your Safes have been robbed repeatedly, and duting the last year, as estimated, of over \$200,000. Do you not, Sir, continue to make the same Sheet Iron Saje watch you recommend and cell as this proof when you know that five minutes is sufficient time to open them through the lock, without noise, and less time through the side of the safe with a commun wood ax? I do assume to make the Best Fire and Burglar Proof Safes. The Banks in your city are now using over sixty of hem, more than are used of all other manufacturers put to gether, and the same ratio holds good in all Western cities, and however much you or your agents may extol your Sheet Ire confidence that a discerning public will continue to award to my Fafe and Lock the superiority which their merit

Troy, N. Y., May 27, 1858. A full see atment of Lincia's Parent Chilled Iron Fire and European-Peoor Saves and Locks may be found at the New-York Agency.

## No. 189 BROADWAY. THE PECULIAR MERITS OF THE

CRITTENDEN HAT consist in its complete adaptation to the requirements of a

SUMMER HAT, as shown in the barmony of its simple proportions with the quiet colors pred it its manufacture, and the favor with which it is re-

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WILDER PATENT
SALAMANDER SAFES,
SCOUTCH by the "In Belle"
To of which have been bested in scotlental fices.
Also, a few SECOND-HAM SAFES, for sale cheep at
No. 40 MURRAY-ST.

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I. M. SINGER & Co., No. 436 Broadway. GROVER & BAKER'S GROVER & BAKER S.

"For our own family use, we became fully estisfied that Grover & Baker's machine is the best, and we accordingly purchase "To all of which The Tribune says amen."

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New PATENT SEWING MACHINE.
No. 447 Broadway. Only Twenty-Five Dollars.
Superior to the bighest-priced Machines, for

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AGENTS WANTED.
Parties purchasing will receive full instruction WHEELER & WILSON'S SEWING MACHINES

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Office, No. 343 Broadway, New York. CAUTION .- 1 am informed that my patent of

Sept. 10, 1846, for IMPROVEMENT IN SEWING MACHINES is exten-sizedy infiringed, and especially in this city and vicinity. This is to notify all such persons to desixt from farther infringement without delay, or they will be dealt with according to law. E. Flows, Jr., No. 447 Broome-at., N. Y.

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A LADY who has been cured of GREAT NERVOUS DESCRIPT, after many years of subsery, destree to make known t all fellow-sufferers the sure means of rules. Address, inclosin Stemp to may return profess.

and the prescription will be sent (free) by next post. LOOKING-GLASSES, PICTURE FRAMES, &C.
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Sco pair
Beautiful Side Band Cassimant Pants,
worth &5,
Beining for &1 50,
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Handsome shades,
worth \$2.
Seling for \$1.50,
at Nos 66 and 56 Pulton at , near Colf. \$1 POR 70 CENTS.

1.000
CASSIMERE BUSINESS GOATS,
air cotors and shades,
worth \$7,
felling for \$5,
felling for \$5,
Nos. 66 and 68 Fulton-st., near Cliff. \$1 POR 75 CENTS. BLACK CLOTH PROCE COATS, worth over \$12, Selling for \$8,

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This Company offers to the public important advantages.

It combines the greatest skill and experience with the most perfect deriving of labor.

It could be seen all improvements in machinery.

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of work.

It places the business on a permanent footing protecting the community against contingencies that raight arise from the discolution or derangement of any particular firm.

The business will be continued, as heretofore, at New-York, Philadelphia, Boston, Montreel, Albany, Cincinnati, Chicago and New Orleans.

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SAMUEL H. CARPENTER,
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DRAPER, WRISH & Co., Philadelphia,
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COATES'S IMPROVED PORTABLE GAS WORKS, COATES'S IMPROVED FOR THE COATES, CHERCHES, HOTELS, for the use of PRIVATE HOUSES, PUBLIC INSTITUTIONS, CHERCHES, HOTELS, FACTORIES, RAILROAD DEFOTS, MILLS, SUGAR REFINERIES, PLANTATION DWELLINGS, &c. These machines will be erected in any part of the United States, Canada or West Indies, and warmated to give satisfaction. DESCRIPTIVE PAMPHLETS, and references to partice having the machines in use, furnished on application to B. COATES, NO. 376 Broadway,

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heir work is always supprintended by a member of the firm,
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The trade supplied at the Lowest Market Prices.

No. 210 BOWERY. Res English Velvet Carpeting at \$1 12 and \$1 25 per yard. Real English Brussels Carpeting at 87c., 35c., \$1 and \$1 12 per

Ingrain Carpeting at 50c.
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The best Writers in the country now write for THE ATLAS, and those who buy it set a large equivalent for the four cents expended. Sold at all news offices.

READ THE NEW-YORK ATLAS TO MORROW!

BEWARE OF POISON!
From using common insect banes
Fvery prudent man refraites.
It the children, lacking sense,
Taste them, what's the consequence!
Would you know it—I refer
Your question to the Coroner.
Poston! It at's the develous rame
Of the dangerous stuff. Oh! shame,
Where's thy binsh, when such vite trash
Can be sold from thirst for cate!
Lives's Powers at stands alone;
Of all insect banes yet known,
None as fain, ne'estheless,
To rosch, bed-bug five suid aut,
Insects that destroy the plant,
And all creeping, dying things
That have mardibles or string.
Lives's Pills, the would renowned,
Every where are fails found
To rice and mice—maranters
That in every brone are boarders.
Lives's Magnetic Powers and Pills. No. 424 Brondway.

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## New York Daily Tribane

SATURDAY, MAY 29, 1858.

The mails for Europe, by the steamship Fulton will close this morning at 104 o'clock.

Mr. HENRY B. ANTHONY, editor of The Provi deace Journal, and formerly Governor of Rhode Island, was yesterday elected by the Legislature o that State as a Senator in Congress, in place of Mr. Pillip Allen, whose term of office expires on the 4th of March next. Gov. Anthony was formerly a Whig, and in the Presidential election of 1856, devoted himself to the Republican cause. He is a man of shillty, culture, and eminent dignity of character. He will attain a far more influential position in the Senate than has fallen to the lot of most of his re cent predecessors. In him the traditional love of freedom which belongs to Rhode Island will find a worthy champion. We trust, however, that his new functions will not altogether withdraw him from that connection with the press which has secured to him so enviable a reputation, and to Providence the possession of one of the most genial, instructive and trustworthy newspapers in the country.

In Congress, 'yesterday, Mr. Seward presented te the SENATE his resolution prolonging the Session till June 21: it was laid over. Mr. Mason made a report concerning the British visitations in the Gulf. The Miscellaneous Appropriation bill was taken up. An effort to strike out the appropriation of \$60,000 for seeds failed. The clause appropriating \$750,000 to the Capitol extension provoked a discussion on art. A motion by Mr. Davis that \$1,000,000 be appropriated to finish the work and \$50,000 f r historical paintings, was lost. Mr. Seward finitlessly moved an appropriation for a Custom-House in Brooklyn. Mr. King renewed the motion in another form, and pending a decision, the Senate adjourned.

The House passed the Post-Office, Army and Ocean Mail Steamer Appropriation bills, and 89 private bille

The speech of Senator Wilson of Massachusetts, which we publish on another page, gives a clear exposure of the present financial condition of the Government and of the perils which menace the national credit under the present policy and the existing system of management. Let every man who is suffering from the general stagnation of business study this speech. It has wisdom in it.

In many of the disquisitions on the subject of British outrages" alleged to have been recently perpetrated on American vessels in the West India eas, it seems to be taken for granted that the right of visitation insisted upon by the British Government is a general right of stopping all vessels on the high seas, and of visiting all those in foreign ports for the purpose of insulting their nationality and examining into the correctness of their papers.

We do not understand that any right of this sort is set up on the part of the British. There is not. as we understand the matter, any claim to any right of visitation as a mere exercise of power and authority. The only claim is to a right of visitation in cases where there is ground to suspect that a national character is assumed to which the vesse has no title, and assumed, too, for the special purpose of evading a seizure which the British cruiser has a right to make. There is not the slightest reason to suppose that any of the visitations, about which there is now so much talk, have proceeded on any other ground. Of all the large number of American vessels trading to and from the island of Cuba, only a very few have been overhauled; while the visitations in port seem to have been confined to the single harbor of Sagua la Grande, which, it is most probable, had been indicated to the cruisers as a resort of vessels intended for the slave trade. Of the vessels thus visited, one at least has been seized as a piratical slaver by which the character of an American vessel was falsely assumed. In this case, that of the schooner Cortes, should it turn out that the British officer was mistaken, and that the Cortes was a bona fide American vessel, there will doubtless be grounds for reclamation and a demand for damages; but, on the other hand, should it prove that the British officer was right in his estimate of the character of the vessel, then the seizure will be fully justified. And in this case it is remarkable that no complaint has yet been made by the master of the vessel or by anybody claiming to own it-nobedy having as yet come forward in that character-but only by the mate and some of the crew and passengers, who well might be (at least the mate and crew) totally ignorant of the actua ownership of the vessel and the intent of the voy age. Even Mr. Consul-General Blythe, who ap pears to take a very particular interest in this case of the Cortes, seems to admit that she may after all bays been engaged on a slave voyage, and that the captain, whose conduct he describes as very strange, may have confessed her to have been

bourd on such a voyage under false colors. As to "the system of espionage, exceedingly an-" roying and insulting to their national feelings," of which, according to Mr. Consul Blythe's account American vessels at the Havana make complaints at his office, that may be sufficiently accounted for by the fact (of which it seems that Consul Blythe has himself had occasion to apprise the Department of State) that the American flag at the Havans is sometimes prestituted for the purposes of the slave traffic. Undoubtedly these cases of espionage, like those of visitation, are limited to vessels which there is some reason to suppose, or which the British navel commanders think they have come reason to suppose, are cases in which the Spanish slave-traders are seeking to hide their operations under cover of the Amer can fisg.

Now whether visitations of this sort are to b regarded as authorized, which is the ground taken by the British Government, or only excusable though not authorized, as Gen. Cass has in times past contended, would appear to make very little difference. Any annoyance to which fair-trading American vessels have been subjected, never would have occurred but for the use of our flag for slave. trading operations by Spanish speculators, a use of it which, if our Government has not connived at, it has at least taken no effectual means to prevent.

The Washington Union, though backed up in its assertion by The New-York Observer and many other journals, certainly sets history at defiance when it asserts that "the war of 1812, between Great Britain and the United States, involved. in point of fact, the pretension of that Government, that the war vessels of England had the right to search and detain not only American but the merchant vessels of every other nation sail-'ing on the high seas." That war originated in the issue of the famous British Orders in Council of Nov. 11, 1807, prohibiting any neutral trade, in and, in spite of this judgment of the Supreme

factions American trade-since at that time the United States were the only neutral nationwith France and her ailies, or in other words with the whole of continental Europe, Sweden, excepted, unless that trade were carried on through Great Britain, and subject to such duties as the British Government might see fit to impose upon it. All neutral vessels, whatever their car goes, bound to any port of France or her allies, were required by these orders, under pain of capture and cordemnation, first to touch at some British or Irish port, to pay such reexportation duties as might be imposed, and to procure a British license to trade to the Continent, only granted, however, on the payment of a fee for it. Nor did these orders allow any export from the territories of France or her allies of any produce of those countries, except in vessels which had complied with the above mentioned regulations; all such vessels being further required to touch on their passage home at some British or Irish port, and there to unlade their cargoes, as a preliminary to shipment to the neutral country.

It was to compel the rescindment of these orders and of Bonaparte's decrees by which they were preceded and followed-invasions not less atrocious of the rights of neutral commerce—that we resorted first to an embargo, by which the sailing of any ves sels whatever from our ports was prohibited; then to a non-intercourse with Great Britain and France; and when these measures, distressing as they were to us, failed to produce any coercive effect, to an authority vested in the President in case either of the agressing nations should recall its objectionable edicts, to announce that fact by proclamation, and if the other nation should not do the same thing within three months, to establish a system of nonimportation as against that other. Under this last act, President Madison issued, Nov. 11, 1810. a proclamation announcing, on the strength of a communication made by the Duke of Cadore, Bonaparte's Minister of Foreign Affairs, to our Minister, Gen. Armstrong, the repeal of the French decrees. The British, however, objected to Cadore's communication that it was merely a conditional promise, and refused to recall their orders until a decree of repeal was produced. This led to a new proclamstion by Madison, issued Feb. 1, 1811, establishing a system of non-importation as against Great Britain. This not producing the desired effect, the House Committee of Foreign Relations, in a report made in the following November-Congress having been called together by proclamation on the 4th of that month-rec mmended preparations for war. This report recalled attention to a grievance of

older date than the British orders in Council, namely, the impressment of seamen from American vessels; but the complaints on which subject had of late been drowned "-such were the words of the Committee-" in the louder clamors " of the loss of property." On these two grounds, viz., the British orders in Council, and the impressment of our seamen, war was presently declared Before the declaration was made, the British Gov ernment had, however, recalled their orders in Council, though the fact was not then known in the United States. On the basis of this repeal some attempts were made on both sides toward an armistice. But as no satisfactory arrangement of the impressment question could be agreed upon, the war fit ally proceeded on that ground alone. Upward of six thousand cases of alleged impressmen of American citizens were recorded in the Department of State; and it was estimated that at least a many more might have occurred of which no information had been received. Lord Castlereagh, then the English Foreign Secretary, admitted on the floor of the House of Commons, that an inquiry instituted early in the preceding year had discovered in the British fleet thirty-five hundred men claiming to be impressed Americans. It was set up, indeed, that this claim of American citizenship was often unfounded, yet, after all allowance on this score, it was admitted even by Castlereagh himself, that at the commencement of the year 1811 there might have been as many as sixteen hundred bons fide American citizens serving by compulsion in the British fleet; a slavery from which relief was never granted except upon positive proof of American citizenship-proof which, so long as the sufferers were forcibly detained on board British ships of war, it was seldom possible

for them to obtain. The British pretended, indeed, to no right beyond that of taking British subjects out of American vessels. The impressment of Americans they affected to regret, and attempted to excuse as unavoidable secidents, which they professed the greatest anxiety to remedy. In point of fact, however, these mpressments were often made with the greatest carelessness, not to say wantonness, while every obstacle was put in the way of discharges, which could only be made by the Admiralty authorities at London. No commander of a ship had power to grant discharges, even though farnished with the clearest evidence of the American citizenship of his sailors, of which several very affecting instances occurred on board British ships of war cruising off the American coast.

It was not against the right of British ships-ofwar "to search and detain the merchant vessels of other nations." as The Union alleges, that the war of 1812 was undertaken. That right for certain purposes and to a certain extent was fully admitted. It was against the right to deprive American merchant ships of a portion of their crews, and that too at the risk of the frequent subjection of Americanborn citizens to a life of slavery in the British navy. that the war of 1812 was persisted in; and it was in the character, and in the character alone, of a war on behalf of sailors' rights as against British pressgapge, that it took such a hold on the hearts of the people. There is not the least ground to say that the question now raised by Mr. Cass-that of the right of visitation for the purpose of ascertaining the nationality of the vessel visited-was ever mooted during the long diplomatic controversies that preceded the war with Great Britain, and or course not the least ground for alleging that the war was undertaken to settle that question.

The course of legal proceeding in California is a matter of no little curiosity. There was lately the case of Archy, claimed as a slave. That case, it will be recollected, came at one time before the Supreme Court of the State. That Court consists of three Judges. Judge Field did not sit and gave no opinion. Judge Burnett held that, under the laws of California, Archy was a slave, and ought to e given back to his claimant. Chief Justice Terry held that, by the law of California, Archy was free: but, owing to the particular circumstances of the case and as a matter of private favor to the lai nant, he coincided in the judgment to deliver him up as a slave. This decision was laughed at by some, and denounced by others. Nobody paid any respect to it. Archy declined to be bound by it. The inferior tribunals refused to recognize it.

Court, surrecdering him up se a clave, Archy is still a free resident of California. We have now another not less remarkable spe-

cimen of the peculiarities of California judicia proceedings in the case of Biddle Boggs, lessee of John C. Fremont, against the Merced Mining Company. In this case, as in that of Archy, Judge Burnett took the laboring our. He delivered a long opinion, in which he held that Fremont, by the assignment to him of the Mariposa grant and the confirmation of that grant by the Supreme Court of the United States under the act of March 3, 1851, to ascertain and settle private land claims in the State of California, took no mere than was given to the original Mexican grantee; and as by the Mexican laws the title to minerals did not go with the land, therefore the confirmation of Fremont's title gave him no property in the minerals. But if those minerals do not belong to him, to whom do they belong The Supreme Court of California had formerly held, in the case of Hicks vs. Bell (3 California Reports. 227), on the strength of a case in Plowden, decided in Queen Elizabeth's time, that the State of California, by virtue of her sovereignty, was the owner of all mines of gold and silver in the State, whether in public or private lands. Judge Burnett, however, declares his opinion that the right of the Crown, maintained in Plowden's case, was not an incident of sovereignty, but a mere personal preregative of the sovereign, and that no such right is iccident to our Governments, either State or Federal. According to his view, whatever rights Mexico reserved from her land grants passed by treaty to the United States, and there the property in the Mariposa minerals still remains. But Colonel Fremont being the owner of the land,

has he not the right to recover possession as against the defendants, who do not allege any lease or license of occupancy under him ! Upon this point, Judge Burnett concurs in a former decision of the Court, that, under all the circumstances of the case, the Mer ced Mining Company, and other mining equatters shall be presumed to be acting with the consent of the owners of the mineral, in fact to have vested in them all the rights of the United States in that respect, including the right to work and dig, and to occupy the land for that purpose. "It is very "true," says Judge Burnett, "that there has been no express act of Congress creating this license. But "the circumstances are peculiar," and "peculiar cir-'cumstances," as in Archy's case, seem to have great weight with California Judges. How very peculiar these circumstances are, the Judge proceeds to show. "Had the Government simply permitted persons to occupy its lands for agricultural or mechanical purposes, when such occupancy would not "impair but enhance the value of the property, then the implication of a license would not be so strong as in the case of mineral lands, where the property "is continually and rapidly wasting away under the process of mining, which in fact removes all that is of any rulue in the estate itself." Chief Justice Terry, as in Archy's case, concurred in the judgment, which avowedly strips the Mariposa grant of its entire value, though he declined to express any opinion as to whether the minerals in question belonged to California or the United States. Judge Field dissented. The next proceeding is a petition for a rehearing,

in which "Heydenfeldt, attorney for respondent,

talks to the Court in a style of freedom scarcely exceeded by the California newspapers in their comments on the Archy case. In this petition, the Court are reminded that in Stokes vs. Barrett (5 California Rep., 36) they expressly declared that in the case of Hicks vs. Bell, they did not intend to go further than to decide the right of all citizens to dig for gold upon the public lands; "for although the "State," such are the words of the Court, "is the "owner of the gold and silver found in the lands of private individuals, as well as the public lands, bet to authorize an invasion of private property in order to enjoy a public franchise, would require more specific legislation than any yet resorted to.' This same doctrine was again held in Tartor va. The Spring Creek Company (5 Cal. Rep., 336), and these decisions have been considered as settling the law. Upon the faith of this announcement of the law, so the petition for a rehearing avers, the people unde the judicial government of the Supreme Court of California, seeing that it would require specific grants from the Legislature to authorize an invasion, for mining purposes, of private property. and knowing that the doctrine of the sovereign ownership of gold in private lands was an obsolete preregative which no English sovereign had attempted to exercise for five hundred years, and which no State in the Union had ever undertaken really to enforce, bought and sold large tracts of mineral lands. "They bought the lands and invested their money. To tell them now, when they sek you for the protection you promised them, that such was not the law, and has not been the law, leads to a result which shocks the sense of justice of all mankind." "Under the decision which the Court has announced in this case, it has established the most complete system of unregulated agrarianism." "If a man's deed to his land will not protect him from the 'invasion of a mere naked trespasser, what can protect the possession of that trespasser against the next one that comes !" "He does not hold 'his (presumed) license to mine in any particular piece of ground, and therefore he has not the right to hold a single inch beyond the moment he is using it. He certainly cannot exclude any one who has equal right to mine by equal license from the Government. These is indeed in this decision no right to hold anything except by the same of grab and the strong arm of might. The doctrice is at once radical, agrarian and "destructive." The petition then proceeds to charge the Court

with having "greatly erred" in attempting to engraft upon American jurisprudence the land-law of Mexico, never adopted or recognized by the Federal Government, and as long ago as 1550 expressly repealed by a State statute. Because we acquire lands from Mexico, must we necessarily adopt her tenure, her incidents, her conditions, and continue bound by them after her laws are repealed ' But in point of fact Mexico did not reserve the minerals to the Government. Her policy being to develop these minerals as fast as possible, she conferred them, by her general laws, upon the discoverernot, however, upon a mere assertion on his part, but after a regular judicial investigation, based upon a denouncement of discovery, made according to certain legal forms, and with notice to the owner of the lands. Until such regular legal proceedings. followed by the judgment of the proper tribunal, the owner was protected against all the world in the possession of his lands-" a totally different thing" (so the petition maintains) " from the radical highway seizures which this Court has "recognized as legitimate, and inaugurated as a " he may keep who can'-a doote'ne that has no promise its dignity as to send Commissioners to

"exemplar and no analogy except in the ancient border forege of contiguous barbarise tribes. The petition concludes with disnowing the "the remotest degree," "any discespect for the "Court," its observations being impelled soiely by the wish to have the rules of law set. tled according to "the dictates of reason, the "rights of society, the necessities of civiliza-"tien, and the common sense of mankind;" all af which, it is implied, the Court have most grievously violated in this case. Such a lecture as this real to any other Court, by way of comment upon a decision just rendered, would have been very apt to be followed by a committal for contempt. Is California, they do things differently. The petition was forthwith granted, and a decree signed by the three Judges ordering a re-hearing.

We published, not long since, a letter from Cal. formis setting forth in a clear light the great only to that State growing out of the uncertainty of last. titles there—an uncertainty to which the decision of the Court in the Mariposa case will, should it be adhered to, add a new aggravation. It is true that the agreements of the miners among themselves & supply, to a certain extent, the defect of any legel title. But these sgreements go but a very short way to remedy the inherent evils of the system. The extent of these mining claims is for the most part very limited, generally not exceeding a bedred feet square. The claim must not only be occupied but worked, and should the owner coast to work it for three days during the working season for any cause but sickness, it becomes forfeit to anybody who chooses to occupy it. These small claims are worked out in a month or two or at most in a year or two, and then the miner must go. Perhaps he may find his next c'aim within tea miles, more likely not within fifty, and the result is that the greater part of the miners have no fixed home, but are always wandering about. Having no title to the spot on which he dwells, not only does the miner make no substantial improvement, he limits even his household goods to what he can carry on his back. Nor is the case even of the farmer in the mining districts much better. It unluckily, gold is found on his farm, the minen may come, make ditches through his field, wash away his garden, undermine his orchard, and puta complete stop to his farming operations. It is evident that such a system is inconsistent with permanent improvements.

What shall we do with the Mormons ! Shall we extinguish them by military force ! Shall we mak to disembarrass ourselves by conniving at their intrusion into the domains of Mexico or Great Britain? Or shall we effect an adjustment of the difficulty, which will comport with our duty to ourselves and our neighbors, and at the same time subserve the cause of civilization in general? We may now by prompt and just action so dispose of this community, which, whether submissive in Salt Lake City or dispersed in the Sierra Madre or Waheatch Mountains, must still threaten the peace of the countrywe may so dispose of it that its energies shall be exercised in a direction beneficial to the civilized world, and conducive to our own advantage. In the Indian Ocean, among the multitude of

great, and fertile islands which form the Malay Archipelago, or rather bordering upon that Archipelago and forming a boundary between the Pacific and Indian waters, lies the vast island of Papus, 1,400 miles long, twice as large as all the British isles; four times the extent of the State of New York, and one-third larger than Utah. It has a soil, judging from he quality of that which has been examined rear its coasts, equal in fertility to that of Java, which last year exported a little more than fifty millions of dollars' worth of its own products; while though only distant 300 miles from flourishing European settlements, which have existed more than 200 years, Papus still remains covered with a vast, primeval forest, inhabited by a for miserable savages without either social or political organization. The sparseness and savage character of the population, and the absence of the spices and precious minerals found in other islands of the Archipelago, have caused it to remain to this day now three centuries and a half since its first discovery by Europeans, undisturbed by the successive communities of traders, who have brought nearly every other territory of the Indian Seas under their dominion.

Papua is an ample and fitting seat for a flourishing empire. It possesses every variety of climate. Passing from the tropic heats of the coast, you ascend into a cool and salubrious region; and the central plateaus lying beyond the Lamantsjeri and Charles Louis ranges of mountains, some of whose peaks attain the elevation of perpetual snow, are presumed to be, from the character of their climate and vegetation, equally favorable to the Caucasian constitution with the plains of Jalapa and valley of Mexico. Inasmuch as other elevated territories of the Indian Archipelago, such as Bontheim in Celebes, and Buitenborg in Java, produce in great perfection all the cereals and escalent roots of Britain, Holland, and other temperate regions, and have proved to be eminently favorable to the vigor and longevity of the European race, it is justly presumed that the great plateaus of Pepua, which appear to form not less than onethird of the island, will prove a healthy home to any European community, while the establishment of ports and the manipulations of commerce amid the less salubrious heats of the coast can be readily effected, as at Singapore, Batavis, and other European ports in India, by the numerous In isn and Chinese cooly or peasant population, who re eager to sell their labor for a pittance. As we have said, the attention of the Mormons has been directed to this island, as well as to other in the Pacific Ocean presenting many similar ad-

vantages. Emigration to Papus was suggested to them last Summer by Capt. Walter M. Gibson f this city, and a plan for their transport and establishment there was proposed to the Mormos Delegate at Washington, who transmitted it to his constituents in Utah. Having been approved by them, it was submitted to the President in January last, with the request that a Commissioner should be appointed to adjust the several particulars-so indemnity for improvements in Utah, protection ! the Pacific coast, the selection of a point of de parture, and escert across the Pacific Ocean. To the whole of this proposition the President refused to give any consideration. The Administration then took the attitude of making no terms whatever with the Moranous Since then, however, Mr. Buchanan has been induced to change his ground so far, as is well known, as to appoint two Peace Commissioners to go out to Utab; but with only such powers and instructions as may enable them to effect a temporary adjustment of the Mormon difficulty. It was pass "rule that 'be may take who has the power, and said that the Government could never so far com-